

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

KEITH ALAN LASKO,  
 Plaintiff,

vs.

AMERICAN BOARD OF SURGERY,  
 INC., et al.,  
 Defendants.

Case No. 2:13-cv-01893-JAD-NJK  
 ORDER

Pending before the Court is Plaintiff's Motion for Discovery of Relationship of Theresa Bevilacqua and Defendant Gabriel L. Bevilacqua. Docket No. 137. The Court has considered Plaintiff's motion, the response of Defendants Bevilacqua and Saul Ewing, and the response filed by Defendants American Board of Surgery, Bevilacqua, Buyske, Cofer, Lewis, Mahvi and Malangoni. Docket Nos. 137, 142, 143. Plaintiff did not file a reply. *See* Docket.<sup>1</sup>

Also pending before the Court is Plaintiff's Request for Discovery. Docket No. 141. The Court has considered Plaintiff's motion, and the response filed by Defendants Bevilacqua and Saul Ewing. Docket Nos. 141, 146. Plaintiff did not file a reply. *See* Docket. The Court has also considered the Motion to Strike Plaintiff's motion for discovery filed by Defendants American Board of Surgery,

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Plaintiff claims he needs discovery of the relationship between Theresa Bevilacqua and Defendant Bevilacqua because Theresa Bevilacqua works for the law firm of Dorsey and Whitney LLP, a firm that Plaintiff assumes is the former workplace of United States District Judge Jennifer A. Dorsey, so that he can determine if Judge Dorsey has a conflict in the instant case. Docket No. 137, at 1-2. The Court takes judicial notice of Judge Dorsey's biography on the District of Nevada website, which indicates that she worked for the law firm of Kemp, Jones and Coulthard LLP, and not for Dorsey and Whitney LLP. Docket No. 142-2, at 2. Plaintiff's motion is therefore based on an assumption that is not accurate.

1 Bevilacqua, Buyske, Cofer, Lewis, Mahvi and Malangoni, Plaintiff's response, and Defendants' reply.  
2 Docket Nos. 149, 153, 154.

3 Additionally, pending before the Court is Plaintiff's Motion for Issuance of Subpoenas, filed  
4 August 18, 2014. Docket No. 151. Defendants' responses are not yet due. *Id.*

5 On June 9, 2014, the Court granted Defendant Goldberg's motion to stay discovery, pending  
6 resolution of Defendant Goldberg's motion to dismiss. Docket No. 115. That same day, the Court  
7 granted Defendants American Board of Surgery, Cofer, Mahvi, Lewis, Buyske, Malangoni, Bevilacqua,  
8 and Saul Ewing's joint motion to stay discovery, as well as Defendant American Board of Internal  
9 Medicine's joinder to the joint motion to stay discovery, pending resolution of their motions to dismiss.  
10 Docket No. 116. The relevant motions to dismiss (Docket Nos. 21, 36, 43, 44) have not yet been  
11 resolved and, therefore, discovery in this case remains stayed.

12 Accordingly,

13 **IT IS HEREBY ORDERED** that Plaintiff's Motion for Discovery of Relationship of Theresa  
14 Bevilacqua and Defendant Gabriel L. Bevilacqua (Docket No. 137) is **DENIED**.

15 **IT IS FURTHER ORDERED** that Plaintiff's Request for Discovery (Docket No. 141) is  
16 **DENIED**.

17 **IT IS FURTHER ORDERED** that Defendants' Motion to Strike Plaintiff's Motion for  
18 Discovery (Docket No. 149) is **DENIED** as moot.

19 **IT IS FURTHER ORDERED** that Plaintiff's Motion for Issuance of Subpoenas (Docket No.  
20 151) is **DENIED**.

21 **IT IS FURTHER ORDERED** that Plaintiff shall cease filing motions requesting discovery of  
22 any kind while discovery remains stayed in this case. Failure to comply with this order may result in  
23 the imposition of sanctions.

24 IT IS SO ORDERED.

25 DATED: August 28, 2014.

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NANCY J. KOPPE  
United States Magistrate Judge